

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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|-----------------------------|---|----------------------------|
| PHILIP D. MITCHELL, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | CAUSE NO. 4:09-CV-1905-CAS |
| |) | |
| PALISADES COLLECTION, INC., |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |

JOINT PROPOSED SCHEDULING PLAN

COME NOW Plaintiff Philip D. Mitchell, pro se and Defendant Palisades Collection, Inc., by and through its undersigned counsel, and in accordance with the Court's December 2, 2009 Order Requiring Joint Proposed Scheduling Plan submit the following Joint Proposed Scheduling Plan.

A. **Track Assignment:**

The parties agree that the appropriate track assignment for this case is Track 2-Standard.

B. **Dates for Joinder of Additional Parties or Amendment of Pleading:**

Motions to join additional parties or to amend pleadings, if necessary, will be filed on or before March 26, 2010.

C. **Discovery Plan:**

i) **Provisions for Disclosure or Discovery of Electronically-Stored Information:**

The parties do not anticipate that their claims or defenses will involve extensive electronically stored information or that a substantial amount of disclosure or discovery will involve information or records maintained in electronic form.

ii) **Claims of Privilege or of Protection as Trial-Preparation of Material After Production of Computer-Generated Records:**

The parties do not anticipate claims of privilege or of protection being an issue at this point in time.

iii) **Rule 26(a)(1) Disclosures:**

The parties shall disclosure information and exchange documents as required by Rule 26(a)(1) by February 12, 2010.

iv) **Phased/Limited Discovery:**

At the present time, the parties see no need for phased or limited discovery, and therefore suggest that normal discovery procedures be had, in accordance with the due dates and limitations contained within this Joint Scheduling Plan and otherwise in accordance with the local rules of this Court and the Federal Rules of Civil Procedure.

v) **Disclosure of Experts:**

Plaintiff shall disclose its expert witness(es) and provide reports required by Rule 26(a)(2) by May 21, 2010. Such expert(s) shall be made available for deposition by June 18, 2010.

Defendant shall disclose its expert witness(es) and provide reports required by Rule 26(a)(2) by July 16, 2010. Such expert(s) shall be made available for deposition by August 13, 2010.

vi) **Limits on Depositions and Interrogatories:**

The parties agree that the presumptive limited of ten (10) depositions per side is appropriate. The parties also agree that the presumptive limit of twenty-five (25) interrogatories per party is appropriate.

vii) **Physical or Mental Examinations:**

The parties do not anticipate the need for any physical or mental examinations under Fed. R. Civ. P. 35.

viii) **Date for Completion of Discovery:**

The parties shall complete all discovery by October 22, 2010. All written discovery requests shall be served sufficiently in advance so that the party being served is allowed the full time period allowed by the Federal Rules of Civil Procedure to respond prior to the discovery cutoff date.

ix) **Other Matters Pertinent to Discovery:**

None.

D. **Referral to Mediation or Early Neutral Evaluation:**

The parties believe this case would benefit from mediation.

E. **Dispositive Motions:**

All dispositive motions shall be filed by November 19, 2010. Any response to a dispositive motion shall be filed within thirty (30) days of filing of the dispositive motion. Any supporting reply briefs shall be filed within ten (10) days of the filing of the response.

F. **Trial Date:**

The parties believe the earliest date the case could be expected to be ready for trial is December 17, 2010.

G. **Estimated Length of Trial:**

The parties anticipate trial to take two to three days.

H. **Other Matters Appropriate for Inclusion in Joint Scheduling Plan:**

None.

Dated this 6th day of January, 2010.

Respectfully submitted,

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